

## Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 HA-05 IO-13 CIAE-00 DODE-00 PM-05  
H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02  
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R 102123Z APR 78  
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TO SECSTATE WASHDC 2216

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E.O. 11652: N/A  
TAGS: SHUM, PINT, NU  
SUBJECT: GN INVESTIGATION OF HUMAN RIGHTS CASES

SUMMARY: THE NATIONAL GUARD (GN) HAS BEEN INVESTIGATING SEVERAL CASES IN WHICH CIVILIANS HAVE ALLEGEDLY BEEN KILLED BY THE GN DURING THE PERIOD OF RECENT CIVIL DISTURBANCES. DECISIONS HAVE BEEN RECENTLY HANDED DOWN IN TWO OF THE CASES AND IN ONE OF THEM A GN PRIVATE WILL BE JUDGED BY A WAR COUNCIL. END SUMMARY

1. ACCORDING TO LA PRENSA OF APRIL 8 THE GN HAS HANDED DOWN DECISIONS IN TWO INVESTIGATIONS OF DEATHS OF CIVILIANS ALLEGEDLY BY GN ELEMENTS AND HAS OTHERS IN PROGRESS. SIMILAR INVESTIGATIONS HAVE BEEN UNDERTAKEN IN CASES OF SERIOUS ALLEGATIONS AGAINST THE GN DURING THE PAST YEAR, BUT HAVE RESULTED IN NO PROSECUTION OF ANY GN PERSONNEL.

2. THE TWO CASES RELATE TO SEPARATE INCIDENTS WHICH OCCURRED ON JANUARY 31, 1978. IN MATAGALPA, DURING RIOTING, MARGARITA DE AMADOR WAS STANDING ON HER DOORSTEP WHEN SHE WAS HIT BY A BULLET AND KILLED. THE INVESTIGATION CONCLUDED THAT THE BULLET CAME FROM A 45 CAL. PISTOL AND THAT NO MILITARY FORCES IN MATAGALPA USED SUCH A WEAPON. FURTHER, THERE WERE NO WITNESSES AS TO BY WHOM SHE HAD BEEN SHOT. THUS

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THE INVESTIGATION WAS INCONCLUSIVE BUT EXONERATED THE GN FROM ANY RESPONSIBILITY. IN THE RIVAS DEPARTMENT, THE SAME NIGHT, ELIEZER GOMEZ DIED OF A BULLET WOUND WHILE ON A BUS. THE GN PRIVATE, TERENCE MELENDEZ, WHO FIRED THE GUN WILL BE JUDGED BY A WAR COUNCIL ACCORDING TO LA PRENSA.

3. THE INVESTIGATION OF THE DEATH OF MERCEDES SANCHEZ DE PENA IN

MANAGUA HAS BEEN INVESTIGATED AND THE JUDGMENT IS IN THE REVIEW STAGES.

OTHER CASES, SUCH AS THE DEATH OF ANA RUIZ DE SANCHEZ AND THE TWO STUDENTS KILLED AT UNAN, ARE STILL BEING INVESTIGATED.

4. COMMENT: THE EMB IS ENCOURAGED THAT IN AT LEAST ONE INTERNAL INVESTIGATION OF HUMAN RIGHTS VIOLATION, THE GN HAS APPARENTLY REACHED A GUILTY VERDICT, AND DISCIPLINARY ACTION WILL RESULT.  
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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Draft Date:** 10 apr 1978  
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**Decaption Note:**  
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**Disposition Case Number:** n/a  
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